

Notice of Allowability

Application No.

10/797,050

Examiner

Thomas D. Alunkal

Applicant(s)

HWANG ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Final filed 7/6/07.
2. ☒ The allowed claim(s) is/are 1-24, 38-41, 46-49, 60 and 61.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

Allowable Subject Matter

Applicant has submitted verified English translations of the foreign priority documents. The Examiner has reviewed these translations and deems them supportive of the subject matter of the present application.

Claims 1-24, 38-41, 46-49, and 60-61 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art (see cited references) taken either singularly or in combination fails to anticipate or fairly suggest the limitations of the independent claims, 1, 12, 38, and 46 in such a manner that a rejection under 35 U.S.C 102 or 103 would be proper.

Regarding claim 1, the prior art taken either singularly or in combination fails to anticipate or fairly suggest a write once disc including a lead-in zone, a data area, and a lead-out zone, the disc comprising: a predetermined area storing area allocating information that indicates whether at least one section of the data area is allocated for disc defect management, ***wherein the predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA), and the area allocation information recorded in the temporary disc defect structure (TDDS) is recorded in a defect management area.***

Regarding claim 12, the prior art taken either singularly or in combination fails to anticipate or fairly suggest a method of managing a data area of a write once disc, comprising: receiving an instruction regarding whether allocation of at least one section of the data area of the disc for disc defect management is required; and ***recording area***

allocation information, which indicates whether the at least one section of the data area is allocated for disc defect management, in a predetermined area of the disc, wherein the predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA).

Regarding claim 38, the prior art taken either singularly or in combination fails to anticipate or fairly suggest a method of reproducing data from a write once disc, comprising: accessing a predetermined area of the disc to read area allocation information that indicated whether at least one section of a data area is allocated for disc defect management, and obtaining the area allocation information, ***wherein the predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA), and the area allocation information recorded in the temporary disc defect structure (TDDS) is recorded in a defect management area (DMA).***

Regarding claim 38, the prior art taken either singularly or in combination fails to anticipate or fairly suggest a write once disc with at least one record layer comprising: at least one data area which stores user data and at least one predetermined area which stores area allocation information, which indicates whether at least one section of the at least one data area is allocated for disc defect management, ***wherein the at least one predetermined area is formed in a temporary disc defect structure (TDDS) of a temporary defect management area (TDMA) and the area allocation information recorded in the temporary disc defect structure (TDDS) is recorded in a defect management area (DMA).***

Dependent claims 2-11, 13-24, 39-41, 47-49, and 60-61 are allowed with their respective base claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ito et al (US 6,160,778) disclose An information recording medium of the present invention includes: a volume space in which user data is recorded; a spare area including a replacement area which may be used in place of a defective area included in the volume space; and a defect management information area in which defeat management information for managing the defective area is recorded. The defect management information includes status information indicating whether the defective area is replaced by the replacement area. Kim et al (US 6,564,345) disclose a method for creating/writing defect management information of an information recording medium and an apparatus and optical disc based on the method. In the present invention, it depends on the type of data to be reproduced whether or not defective sectors which are detected during reproduction operation are replaced with non-defective sectors. If read-out errors are detected in reproducing non-audio/video data, linear replacement algorithm is applied to the corresponding defective sectors. On the other hand, in case of audio/video data, location information of the corresponding defective sectors is just kept without any sector replacement. Therefore, this invention enables to reproduce audio/video data in real-time regardless of the presence of defective sectors and to avoid writing data to the defective sectors when new data is

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overwritten to the information recording medium. Takahashi (US PgPub 2002/0136537) disclose An information recording medium according to an aspect of this invention includes a data area (A2) for recording user data and an address area (DMA address area) for recording address data that indicates the position of a defect management area that manages a defect present in the data area. Ohata et al. (US 6,469,978) disclose an optical disk which enables recording and reproduction from optical disks with defect management formatted with different group configurations without changing the firmware of the conventional apparatus and to allow the size of the spare area to be specified at initialization, the position information indicating the position of the defect management area is recorded in the control data area provided in the read-only area of the optical disk, and the information indicating the first address or size of the spare area is included in the defect management area.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas D. Alunkal whose telephone number is (571)270-1127. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571)272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thomas Alunkal/
Examiner AU 2627


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